

**RICHARD POMBO FOR CONGRESS
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November 22, 2006

General Counsel's Office
Federal Election Commission
999 E St., NW
Washington DC 20463

Re: MUR 5877

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 NOV 28 A 9:10

In response to the Commission's letter of 11/9/06, I would like to note the following: Carol Goeas and Assoc. (CGA) entered into a fundraising agreement with RichPAC beginning in May, 2005. That agreement included monthly retainers of \$4,500 for the period 5/1/05-7/31/06 and \$3,500 for the period 8/1/06-9/30/06. In addition, there were performance bonuses for achieving fundraising goals. Those bonuses were \$10,000 for raising \$500,000, an additional \$20,000 for raising \$700,000 and an additional \$20,000 for raising \$900,000 during the period 5/1/05-10/31/06.

A review of the online Forms 3x filed by RichPAC disclosed that some of the payments to CGA were mislabeled. Payments of \$24,067.13 on 9/13/06 and \$35,001.75 on 10/12/06 were described as fundraising commissions, but were reimbursements for costs associated with fundraising events. A payment of \$20,000.00 on 7/10/06 was described as a fundraising retainer, but was a bonus for reaching the \$700,000 level in total contributions received. A payment of \$8,000.00 on 10/12/06 was described as fundraising commission, but was the retainer for July (\$4,500) and August (\$3,500). The payment of \$20,000 on 10/12/06 was for a bonus that was claimed but unearned, and has been refunded by CGA.

Richard Pombo for Congress (Pombo) entered into an agreement with CGA in April 2006. That agreement specified a commission of \$20,000 for each \$200,000 raised. In addition, CGA would be paid a retainer when designated staff were assigned exclusively to Pombo for onsite fundraising efforts. On 9/22/06, a payment of \$23,759.21 was made by Pombo to CGA for \$22,759.21 in expenses and \$1,000.00 for dedicated staff. The following payments have also been made:

10/31/06 - \$9,645.62 (\$2,000.00 dedicated staff, \$7,645.62 reimbursements)
11/2/06 - \$5,010.35 (\$4,000 dedicated staff, \$1,010.35 reimbursements)
11/7/06 - \$1,762.26 (reimbursements)
11/13/06 - \$123.42 (reimbursements)

In addition, the following invoices have been received by Pombo but not paid: \$1,040.37 (reimbursements); \$100,000.00 (commission on \$1,062,574 raised).

I assume that the above adequately addresses the questions raised by the complainant. Supporting documentation is available upon request.

Sincerely,


David Bauer, Treasurer